

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

ADRIANA CARDENAS, mother
and next of friend to minor child,
A. CHAVEZ CAMPOS,

Plaintiffs,

v.

1:20-cv-00374-RB-GJF

WALMART SUPERCENTER
STORE, INC.,

Defendant.

**ORDER ADOPTING MAGISTRATE JUDGE'S
PROPOSED FINDINGS AND RECOMMENDED DISPOSITION**

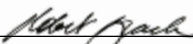
THIS MATTER is before the Court on Magistrate Judge Gregory J. Fouratt's Sealed Proposed Findings and Recommended Disposition (PFRD) Recommending Approval of Settlement Agreement filed on November 2, 2021. (Doc. 66.) The PFRD notified the parties of their ability to file objections within 14 days. (*Id.* at 6.) The parties, however, were also notified that "if they did not object to [the Court's] PFRD, they could file a notice of no objections," which would "allow the presiding judge to address the Court's PFRD sooner." (Doc. 65 at 4.) On November 3, 2021, the parties filed a Joint Notice of No Objection to the PFRD. (Doc. 67.) This notice affirms that the parties "agree with the recommendations of Judge Fouratt, and will not be filing any objections [to the PFRD] as permitted under 28 U.S.C. § 636(b)(1)(c)." (*Id.* at 1.)

The Court has reviewed the PFRD and the relevant materials. Noting that the minor child in this matter will turn 18 years old in 2022 and will begin receiving annuity payments on her 18th birthday, and that the parties have no objections to the annuity-structured payment plan, the Court finds that the parties' joint motion is well-taken and concurs with the PFRD.¹

¹ To "assist the annuity company in processing this annuity," (Doc. 66 at 6) the parties had initially requested, via email on November 1, 2021, that the instant order contain particular language directing Defendant to disburse the

IT IS THEREFORE ORDERED that (1) the Magistrate Judge's PFRD (Doc. 66) is **ADOPTED** and (2) the parties' Joint Motion to Approve Settlement (Doc. 60) is **GRANTED** in that their Full and Final Confidential Settlement, Release of All Claims and Indemnity Agreement (Doc. 66 at 7–12) is **APPROVED**. Consequently, IT IS ORDERED AND APPROVED that Defendant will disburse the settlement funds as specifically outlined in section 1 of the signed Full and Final Confidential Settlement, Release of All Claims and Indemnity Agreement, dated November 1, 2021 (Doc. 66 at 1–2);

IT IS FURTHER ORDERED that the parties must submit a joint motion to dismiss and proposed order granting the motion to the Court no later than **November 17, 2021**.



ROBERT C. BRACK
SENIOR U.S. DISTRICT JUDGE

settlement funds in accordance with the parties' settlement agreement. The parties have since made a minor update to their requested language, *see* (Doc. 67 at 1–2), which is reflected in this order.